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L5-205

25X1A

[redacted]

15 November 1950

Legal Staff

[redacted]

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OGC REVIEW COMPLETED

25X1A 1. Reference is made to the case of Lieutenant Colonel [redacted], Retired, who is now employed by CIA on a normal 40-hour week basis under an excepted appointment.

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2. If Colonel [redacted] was retired for disability incurred in combat or for disability resulting from an explosion of an instrumentality of war in line of duty, he is not subject to the provisions of law limiting retirement pay. However, it is our understanding that his disability was caused by neither of the aforementioned causes, and consequently his retired pay must be discontinued if his CIA salary exceeds \$3,000.00 per annum, which it does.

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3. We are indeed sorry that Colonel [redacted] must forfeit his retirement pay, but the law is clear in this matter, both on the statute books (5 U.S.C. 59a, Act of 30 June 1932, as amended) and in the decisions of the Comptroller General.

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[redacted]

Legal Staff

Attachment

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Memo dtd 20 Oct 1950 to [redacted]

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[redacted]
cc: Subject /
Chrono

Legal Doc.